



**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

January 29, 2025

By ECF

Honorable Lois Bloom
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: *Leibovitz v. Procida*, E.D.N.Y. No. 24 Civ. 4779 (AMD) (LB)

Dear Chief Magistrate Judge Bloom:

This Office (“OAG”) represents State Defendants¹ in this action filed by Plaintiff *pro se* Etan Leibovitz. We respectfully submit this letter in response to the Court’s order directing OAG to identify certain “John Doe” defendants pursuant to *Valentin v. Dinkins*, 121 F.3d 72, 76 (2d Cir. 1997).

Plaintiff’s Verified Complaint, dated July 9, 2024 (ECF No. 1) (the “Complaint”), asserts claims against State Defendants, Queens County Assistant District Attorney Phyllis Weiss, and “NEW YORK SRT COURT OFFICERS JOHN DOES 1-10.” Compl. at 1 (Caption); *id.* ¶ 37. The abbreviation “SRT” refers to a “Special Response Team” of court officers. Plaintiff alleges that on November 15, 2022, after he was arrested at Queens County Civil Court, ten unidentified SRT officers arrived “with the directive to transport” him to the police station. *Id.* ¶ 37. Plaintiff alleges that John Does 1-2 made comments that he deemed threatening, and that John Does 3-10 failed to intervene. *Id.* ¶¶ 37, 402-416. *See also id.* ¶¶ 417-422.

By letter filed December 5, 2024, Plaintiff requested a *Valentin* Order directing OAG “to provide the information necessary to identify the John Doe Defendants.” (ECF No. 39, at 1.) We responded that OAG was prepared to cooperate in that effort, but urged the Court not to delay its consideration of State Defendants’ motion to dismiss. (ECF No. 40.) The Court directed OAG “to provide the full names and current service addresses for the John Doe defendants who transported plaintiff to the precinct by February 2, 2025.” Dkt. Entry, Dec. 19, 2024.

Pursuant to the *Valentin* Order, OAG communicated with the New York State Office of Court Administration, Counsel’s Office, and the Special Response Team. Based on those

¹ The State Defendants are Assistant Attorney General Nicole Procida, Court Officer Kenneth Coy, former Court Officer Michael Zebro, and Judge John C.V. Katsanos. OAG does not currently represent any other parties.

Hon. Lois Bloom
January 29, 2024

Page 2 of 2

communications, it is our understanding that no SRT court officers transported Plaintiff from the courthouse to the 102nd Precinct police station on November 15, 2022. Nevertheless, we have identified eight SRT court officers who, based on the information currently available, responded to the incident at the Queens Civil Court, and their addresses for service of process:

Capt. Joseph Fino
Department of Public Safety/SRT
New York State Unified Court System
25 Beaver Street, 8th Floor
New York, N.Y. 10004

Sgt. John Blom
Department of Public Safety/SRT
New York State Unified Court System
25 Beaver Street, 8th Floor
New York, N.Y. 10004

Sgt. Kenny Rodriguez
Department of Public Safety/SRT
New York State Unified Court System
25 Beaver Street, 8th Floor
New York, N.Y. 10004

Court Officer James Drakos
Department of Public Safety/SRT
New York State Unified Court System
25 Beaver Street, 8th Floor
New York, N.Y. 10004

Court Officer Christopher Domenech
Department of Public Safety/SRT
New York State Unified Court System
25 Beaver Street, 8th Floor
New York, N.Y. 10004

Court Officer Pete Molinelli
New York State Supreme Court
111 Centre Street
New York, N.Y. 10013

Court Officer Darrien Wagner
Kings County Criminal Court
120 Schermerhorn Street
Brooklyn N.Y. 11201

Court Officer Matthew Broccato
New York City Civil Court, Queens County
89-17 Sutphin Blvd.
Jamaica, N.Y. 11435

We appreciate the Court's continued attention to this litigation.

Respectfully,

Michael A. Berg
Michael A. Berg
Assistant Attorney General
28 Liberty Street
New York, NY 10005
(212) 416-8651
michael.berg@ag.ny.gov